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**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION**

Washington, D.C. 20554

In the Matter of)
)
Implementation of the Local) CC Docket No. 96-98
Competition Provision in the)
Telecommunications Act of 1996)

To: The Commission

REPLY COMMENTS

ARCH COMMUNICATIONS GROUP, INC.

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May 30, 1996

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To: The Commission

Arch Communications Group, Inc. ("Arch"), by its attorneys and pursuant to Sections 1.415 and 1.419 of the Commission's Rules, hereby files its Reply Comments ("Reply") in the above-captioned proceeding. Arch's Reply is limited to two points: first, the above-captioned proceeding does not govern interconnection between Local Exchange Companies ("LECs") and Narrowband Commercial Mobile Radio Service ("NCMRS") Providers, and second, the obligations imposed by Section 251 of the Telecommunications Act of 1996 (the "1996 Act") do not apply to NCMRS providers. The following is respectfully shown:

1. In its Comments,^{1/} Arch demonstrated that Sections 251 and 252 of the 1996 should not govern LEC-CMRS interconnection. Rather, the appropriate forum for the

1/ Comments of Arch Communications Group, Inc., filed
May 16, 1996.

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resolution of LEC-NCMRS interconnection issues is the proceeding^{2/} initiated pursuant to Section 332 of the Communications Act.^{3/} Arch's position is consistent with many other comments filed in this proceeding, including those of the Personal Communications Industry Association,^{4/} Cellular Telecommunications Industry Association,^{5/} AirTouch Communications, Inc.,^{6/} Bell Atlantic NYNEX Mobile, Inc.^{7/} and the Ohio Public Utilities Commission.^{8/}

2. Moreover, it is noteworthy that many of the comments filed in this proceeding do not address LEC-CMRS interconnection at all, but focus solely on interconnection

^{2/} CC Docket No. 95-185.

^{3/} 47 U.S.C. §332.

^{4/} Comments of Personal Communications Industry Association, passim.

^{5/} Comments of Cellular Telecommunications Industry Association, pp. 2-7.

^{6/} Comments of AirTouch Communications, Inc., pp. 5-9.

^{7/} Comments of Bell Atlantic NYNEX Mobile, Inc., pp. 7-9.

^{8/} Comments of the Ohio Public Utilities Commission, pp. 58-9 (arguing that **voice grade CMRS providers who provide local exchange service to customers in competition with the ILEC** should be considered to be providing local exchange or exchange access service which would fall within the purview of Section 251(c)(2)).

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between the LEC and competitive LECs, neighboring LECs, and interexchange companies. This approach tacitly confirms the Arch position that CMRS interconnection issues are properly dealt with elsewhere.

3. In sum, the CMRS industry consensus, coupled with the scarce record addressing LEC-CMRS interconnection within the scope of this proceeding, strongly support resolving LEC-CMRS interconnection issues pursuant to the proceeding initiated in CC Docket No. 95-185.

**II. NCMRS PROVIDERS ARE NOT LECs WITHIN THE SCOPE
OF SECTIONS 251 AND 252 OF THE 1996 ACT**

4. Arch also demonstrated that NCMRS providers are not LECs for purposes of Sections 251 and 252 of the 1996 Act and are not subject to the obligations imposed upon LECs or incumbent LECs thereunder. This position also received broad industry support, from commenters including Bell Atlantic NYNEX Mobile, Inc.,^{9/} Pacific Telesis Group,^{10/} NYNEX Telephone Companies,^{11/} and BellSouth Corporation.^{12/}

9/ Comments of Bell Atlantic NYNEX Mobile, Inc., pp. 1-5.

10/ Comments of Pacific Telesis Group, pp. 81-3
(arguing that only CMRS providers providing fixed wireless local loop service in competition with LECs should be treated as LECs for purposes of Sections 251 and 252).

11/ Comments of NYNEX Telephone Companies, pp. 22-3.

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It is significant that the consensus on this issue spans both the wireless and wireline segments of the industry. Viewed as a whole, there is no substantial support in the record or public interest rationale for classifying NCMRS providers as LECs.

III. CONCLUSION

5. In view of the consensus reached with respect to the applicability of Sections 251 and 252 to LEC-NCMRS interconnection and NCMRS obligations under Section 251, Arch reiterates the positions set forth in its Comments filed in this proceeding, supports the comments filed by the referenced parties to the extent that those comments are consistent with those filed by Arch, and respectfully requests that the Commission resolve LEC-NCMRS issues pursuant to the proceeding already underway in CC Docket No. 95-185 and decline to impose LEC-based obligations on NCMRS providers.

12/ (...continued)

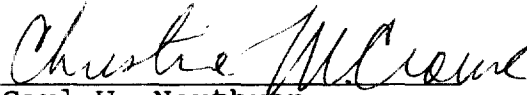
12/ Comments of BellSouth Corporation, BellSouth Enterprises, Inc., and BellSouth Telecommunications, Inc., pp. 63-4.

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The foregoing premises having been duly considered,
Arch respectfully requests that the Commission adopt the
recommendations set forth above.

Respectfully submitted,

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May 30, 1996

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I, Myra Burke, a secretary in the law firm of Paul, Hastings, Janofsky & Walker, hereby certify that on this 30th day of May, 1996, copies of the foregoing "Reply Comments" were sent via first class mail to the following:

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